

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION**

ALLIANCE FOR HIPPOCRATIC MEDICINE,
on behalf of itself, its member organizations,
their members, and these members' patients;
AMERICAN ASSOCIATION OF PRO-LIFE
OBSTETRICIANS AND GYNECOLOGISTS,
on behalf of itself, its members, and their
patients; AMERICAN COLLEGE OF
PEDIATRICIANS, on behalf of itself, its
members, and their patients; CHRISTIAN
MEDICAL & DENTAL ASSOCIATIONS, on
behalf of itself, its members and their patients;
SHAUN JESTER, D.O., on behalf of himself
and his patients; REGINA FROST-CLARK,
M.D., on behalf of herself and her patients;
TYLER JOHNSON, D.O., on behalf of himself
and his patients; and GEORGE DELGADO,
M.D., on behalf of himself and his Patients,

Plaintiffs,

v.

U.S. FOOD AND DRUG ADMINISTRATION;
ROBERT M. CALIFF, M.D., in his official
capacity as Commissioner of Food and Drugs,
U.S. Food and Drug Administration; JANET
WOODCOCK, M.D., in her official capacity as
Principal Deputy Commissioner, U.S. Food and
Drug Administration; PATRIZIA
CAVAZZONI, M.D., in her official capacity as
Director, Center for Drug Evaluation and
Research, U.S. Food and Drug Administration;
U.S. DEPARTMENT OF HEALTH AND
HUMAN SERVICES; and XAVIER
BECERRA, in his official capacity as Secretary,
U.S. Department of Health and Human
Services,

Defendants.

Case No. 2:22-cv-00223-z

**MOTION OF PROSPECTIVE
AMICUS CURIAE LIFE
COLLECTIVE INC. TO WAIVE
RULE REQUIRING LOCAL
COUNSEL**

Pursuant to Federal Rule of Civil Procedure 7(b), prospective amicus curiae Life Collective Inc. (“Life Collective”) respectfully requests the Court to waive Local Rule 83.10(a), which would require Life Collective to retain local counsel who resides or has a principal office located within 50 miles of the courthouse.

Life Collective is a non-profit corporation headquartered in Oklahoma City, Oklahoma. Life Collective educates the public and unites organizations committed to a deep respect for life with an aim towards fostering a culture that makes abortion unnecessary. As part of Life Collective’s mission, it seeks leave to file an amicus brief in support of Plaintiffs’ Complaint (Doc. 1) and Plaintiff’s Motion for Temporary Injunction (Doc. 6) because the lack of safeguards in the FDA’s challenged regulations deviate both from accepted ethical norms and required FDA practices meant to preserve the health and life of patients.

Good cause exists to grant Life Collective’s request for a waiver from Local Rule 83.10(a). Although the undersigned counsel for Life Collective is admitted to the Northern District of Texas, counsel is not located within 50 miles of this Court. But Life Collective intends only seek leave to file an amicus brief (and the related briefing), which this Court will likely decide on the papers. Given Life Collective’s minimal participation in this case, local counsel should be unnecessary. If at any time the Court requests it, counsel for Life Collective will attend hearings and/or obtain local counsel as directed.

For the foregoing reasons, Life Collective respectfully requests that this Court enter an order waiving Local Rule 83.10(a)’s local counsel requirement for purposes of seeking leave to file an amicus curiae brief and the related briefing.

Respectfully submitted, this 10th day of February, 2023,

/s/ Darren McCarty

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Attorney for Life Collective Inc.

I certify that on February 10th, 2023, I electronically filed the foregoing document with the Clerk of the Court via CM/ECF which will notify all parties in this matter who are registered with the Court's CM/ECF filing system of such filing. All other parties (if any) shall be served in accordance with the Federal Rules of Civil Procedure.

DATED this 10th day of February, 2023.

/s/ Darren McCarty
Darren McCarty